

DETAILED ACTION

Claim Rejections – 35 USC § 112

The Examiner stated that Claims 1-69 are rejected under 35 U.S.C. 112 first paragraph, as failing to comply with the written description requirement as the claims contain subject matter which was not described in the specification. More particularly, the Examiner stated that independent claims 1, 23, 44, 68 and 69 set forth that it is determined whether an agent complied with a script by evaluating “a score... against a static and a varying standard” which is not supported by the originally filed specification. The Applicant has amended independent claims 1, 23, 44, 68 and 69 by replacing “static and a varying standard” with “static or a varying standard”. The amended limitation, as rightly indicated by the Examiner is adequately supported by the original specification. Withdrawal of this rejection is therefore respectfully requested.

Claim Rejections – 35 USC § 103

The Examiner stated that claims 1-5, 8-10, 12-24, 28, 30-38, and 41-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al (U.S. Patent: 6,567,787) in view of Brockman et al (U.S. Patent: 5,826,240) and yet in further view of Sukkar (U.S. Patent: 5,613,037).

The Examiner stated that claims 6-7, 25-27, and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al in view of Brockman et al in view of Sukkar and further in view of Stuart et al (U.S. Patent: 6,868,154).

The Examiner stated that claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al in view of Brockman et al in view of Sukkar and further in view of Rtischev et al (U.S. Patent: 5,634,086).

The Examiner stated that claims 39 and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al in view of Brockman et al in view of Sukkar and further in view of Blair (U.S. Patent: 7,203,285).

The Examiner stated that claim 40 is rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al in view of Brockman et al in view of Sukkar and further in view of Macleod Beck et al (U.S. Patent: 6,910,072).

The Examiner stated that claims 44-50, 52-54, 56-58, 62, 64, and 67-69 are rejected under 35 U.S.C. 103(a) as being unpatentable over Scarano et al (U.S. Patent: 7,076,427) in view of Katz (WO 94/21084) (referenced in the parent application 09/785,048) in view of Walker et al and further in view of Sukkar.

The Examiner stated that claims 51, 63, and 65 are rejected under 35 U.S.C. 103(a) as being unpatentable over Scarano et al in view of Katz in view of Walker et al. in view of Sukkar and further in view of Eilbacher et al (U.S. Patent: 6,724,887).

The Examiner stated that claims 55 and 66 are rejected under 35 U.S.C. 103(a) as being unpatentable over Scarano et al in view of Katz in view of Walker et al. in view of Sukkar and further in view of Macleod Beck (U.S. Patent: 6,910,072).

The Examiner stated that claims 59-61 are rejected under 35 U.S.C. 103(a) as being unpatentable over Scarano et al in view of Katz in view of Walker et al. and further in view of McIlwaine et al (U.S. Patent: 6,324,282).

The Applicant has amended independent claims 1, 23, 44, 68 and 69 to include substantially the following limitation:

determining, via generating a score using confidence level thresholds of the least one automatic speech recognition component such that the confidence level thresholds are assigned to each of the plurality of panels and obtained using a score evaluated evaluating the score against a static and or a varying standard, whether the at least one agent has adequately followed the at least one script by using the evaluated at least one voice interaction.

As argued by the Applicant in the communication filed on 29th July, 2009, the limitation “*such that the confidence level thresholds are assigned to each of the plurality of panels*” necessitates variable ASR scores with regard to individual script portions as each panel includes a portion of the script. The Examiner has noted in the “Response to Arguments” section of the office action that the above claim amendment would overcome the prior art of record. Thus none of the cited art including Walker et al, Brockman et al,

Sukkar, Rtischev et al, Blair, Macleod Beck et al, Scarano et al, Katz, Eilbacher et al and McIllwaine et al discloses the limitation “*such that the confidence level thresholds are assigned to each of the plurality of panels*”.

The independent claims 1, 23, 44, 68 and 69 require the limitation “*such that the confidence level thresholds are assigned to each of the plurality of panels*”. Each of the dependent claims 2-22, 24-43 and 45-67 properly depend (directly or indirectly) from the independent claims 1, 23 and 44 respectively and therefore require this limitation.

Thus each of the above prior art, individually or in combination, fail to teach or suggest each and every limitation of independent claims 1, 23, 44, 68 and 69 and the differences between the claimed subject matter of claims 1, 23, 44, 68 and 69 and the cited art are significant and were non-obvious, at the time the invention was made, to a person having ordinary skill in the art.

Accordingly, Applicant respectfully asserts that independent claims 1, 23, 44, 68 and 69 are non-obvious over the combined teachings of the cited art. Each of the dependent claims 2-22, 24-43 and 45-67 properly depend (either directly or indirectly) upon amended independent claims 1, 23, 44, 68 and 69 and are deemed to include the same limitations as discussed above with respect to claims 1, 23, 44, 68 and 69. Accordingly, at least for the reasons articulated above, claims 2-22, 24-43 and 45-67 are non-obvious over the combined teachings of the cited art. Withdrawal of this rejection is therefore respectfully requested.

Conclusion

For the reasons set forth above, Applicant believes the independent claims, as well as the claims that depend from them, are in condition for allowance and respectfully requests they be passed to allowance.

Respectfully submitted,
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